

October 13, 2015

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captioningexemptionfcc.gov

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Attention: Disability Rights Office, Room 3-B431
9300 East Hampton Drive
Capitol Heights, Maryland 20743

*Re: Case Identifier: CGB-CC-1356
CG Docket No. 13-318
Petition for Exemption from Closed Captioning Requirements for Video
Programing Delivered Using Internet Protocol*

Dear Ms. Dortch:

This letter is in response to the letter of July 14, 2015, from Suzy Rosen Singleton ("Request for Additional Information") that requests additional information regarding the petition filed by Interconnect Media Network Systems, LLC ("IMN Systems") for a full exemption to the requirements of the Federal Communications Commission ("FCC") regarding closed captioning requirements for Video Programing Delivered Using Internet Protocol. You will remember that the FCC's letter of August 13, 2015, extended the time of our response to October 13, 2015.

The Request for Additional Information asks us to clarify the nature of our rights to the content provided by Blue Wave Media. IMN Systems maintains a contractual relationship with Blue Wave Media, which has made content available for which our company pays a fee for each customer that views such content. We therefore have continuing rights to distribute content received through Blue Wave Media. In addition, our letter of April 21, 2015, does not indicate that Blue Wave Media reports that it is *exempt* from captioning requirements. Rather, we have relied on written assurances from the Blue Wave Media Chief Executive Officer that Blue Wave Media's content provided to IMN Systems does not require closed captioning. We have relied on these representations and have asked Blue Wave Media to inform us when that obligation changes. IMN Systems seeks exemption from closed captioning requirements in part because of this potential obligation.

IMN Systems has recently entered into a contractual relationship with a video programming distributor to make available a number of cable television channels to IMN Systems' customers. We understand that IMN Systems must provide closed captioning for forty-three (43) of these channels unless our company is afforded an exemption. This is the only

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content that IMN Systems currently receives or will receive in the near future that is subject to the closed captioning requirements.

The Request for Additional Information also asks us to provide a more accurate calculation of the cost to caption each program for which we request exemption. As you will remember, we included documentation in our letter of February 17, 2015, to estimate the cost of captioning from two captioning providers, Vitac and CaptionMax. Using the quote from CaptionMax that offers a flat fee of \$75.00 per ninety minutes of programming, IMN Systems calculates that \$1,493,175.00 will be monthly cost of providing closed captioning for the forty-three (43) cable television channels, calculated as follows:

Cost is \$75 per 90 minutes of video
We assume 23.15 hours of video per day.
23.15 hours per day = 15.43 ninety-minute blocks
 $15.43 \times \$75.00 = \$1,157.50$ per channel per day
 $\$1,157.50 \times 43$ channels = \$49,772.50 per day
 $\$49,772.50 \times 30$ days = \$1,493,175.00 per month

Thank you very much for your kind consideration of this exemption request. Please do not hesitate to contact me at my telephone number above or at sturner@imnsys.com or (540) 461-1376 if you have any questions, or you may contact our attorney, Eric M. Page, at epage@eckertseamans.com or (804) 788-7771.

I declare under penalty of perjury that the information contained in this submission, as well as the information contained in the submission of February 17, 2015, as supplemented thereafter, is true and correct to the best of my information and belief.

Sincerely,

 ced
Steven Turner, CEO

Received by Aleahany
Comptroller of Virginia
Date Oct 13 2015
By Steven Turner
My Commission Expires 01-31-18

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COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Alleghany) SS:

On this 13 day of October, 2015, personally came before me Steven Turner, and this person acknowledged under oath, to my satisfaction, that:

- (a) This person signed, sealed and delivered the foregoing instrument as the CEO of Interconnect Media Network Systems, LLC; and
- (b) This document was signed and delivered by Interconnect Media Network Systems, LLC as its voluntary act and deed by virtue of authority from its Board of Managers.

Marcie G. Hoy
Notary Public

My commission expires 01-31-18

MARCIE G. HOY
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JAN. 31, 2018
COMMISSION # 7321966